

ROBERT ELY,

Plaintiff,

v.

MICHAEL BOWERS,

Defendant.

This matter is before the Court for review of plaintiff's amended complaint pursuant to 28 U.S.C. § 1915(e). Upon review of the amended complaint, the Court finds that the complaint survives initial review and should not be dismissed at this time. As a result, the Court will order the Clerk to issue process or cause process to issue on the amended complaint. Additionally, the Court will order defendants to respond to the amended complaint.

IT IS FURTHER ORDERED that the Clerk shall issue process or cause process to issue upon the complaint.

IT IS FURTHER ORDERED that, pursuant to 42 U.S.C. § 1997e(g)(2), defendant shall reply to plaintiff's claims within the time provided by the applicable provisions of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that this case is assigned to Track 5B: Prisoner Standard.

Dated this 28th Day of June, 2007.

A handwritten signature in black ink, appearing to read "Howard A. Kelly", with a long horizontal flourish extending to the right.

UNITED STATES DISTRICT JUDGE